

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT HUNTINGTON

KEVIN DILLON,

Plaintiff,

-vs-

Case No: 3:15-cv-02223

SUPERIOR MARINE WAYS, INC.,

Defendant.

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O'BRYAN BAUN KARAMANIAN

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Attorney for Plaintiff

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**COMPLAINT**

**NOW COMES** Plaintiff, by and through counsel undersigned, O'BRYAN BAUN KARAMANIAN, complaining against Defendant as follows:

1. Jurisdiction and venue lie in this action, Defendant conducting business within this forum's boundaries.

2. Jurisdiction is founded under the Jones Act (46 USCA 30104) for negligence, and under the General Maritime Law for unseaworthiness, maintenance, cure, and wages.

3. At all times material to issues herein Plaintiff served as an employee of Defendant serving as a crew member aboard its vessels, with all acts and/or omissions giving rise to this action occurring in the course of Plaintiff's employment in the service of his ship.

4. On or about June 21, 2014, Plaintiff was in the course of his employment when he was required to negotiate an unreasonable distance between two vessels, a barge and a tow boat, without otherwise necessary ladders, steps or other aid when, in the course thereof, he was injured. Thereafter, Defendant failed to exercise reasonable care regarding Plaintiff's medical management, causing an aggravation and/or prolongation of the afore-referenced injury.

5. Defendant's tortuous acts aforesaid caused or contributed to Plaintiff's damages, *inter alia*, as follows:

- a. Pain and suffering, past future;
- b. Mortification, humiliation, fright shock and embarrassment;
- c. Loss of earnings and earning capacity;
- d. Hospital, pharmaceutical and other cure expenses;
- e. Aggravation and/or prolongation of prior condition;
- f. Inability to engage in social, recreational, and other pursuits previously enjoyed;
- g. Mental anguish;
- h. Found;
- i. Maintenance, cure, wages and/or attorney fees.

**WHEREFORE**, Plaintiff demands trial by jury and judgment against Defendant, together with interest, costs, attorney fees and expenses, all to be methodically adjusted upwards during the pendency of this cause.

Respectfully submitted,

O'BRYAN BAUN KARAMANIAN

/s/ Dennis M. O'Bryan

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Dated: February 25, 2015

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**DEMAND FOR TRIAL BY JURY**

**NOW COMES** Plaintiff by and through counsel undersigned, O'BRYAN BAUN

KARAMANIAN, and hereby demands trial by jury in the above-referenced cause of action.

Respectfully submitted,

O'BRYAN BAUN KARAMANIAN

/s/ Dennis M. O'Bryan

DENNIS M. O'BRYAN

Attorneys for Plaintiff

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Dated: February 25, 2015